

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-452-FDW

OBADIAH DOCTOR,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
NORTH CAROLINA DEPARTMENT OF)	
PUBLIC SAFETY, et al.,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on the North Carolina Department of Public Safety's ("NC PDS") Sealed Notice, (Doc. No. 41), informing the Court that it has been unable to procure a waiver of service of process for Defendant "FNU Harris," actually Cheronne M. Harris, in accordance with the Court's April 9, 2018, Order, (Doc. No. 36). NC DPS has provided the last known address for Defendant Harris under seal. (Doc. No. 41).

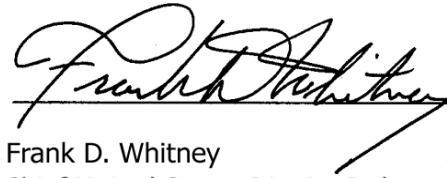
The Clerk of Court is directed to notify the United States Marshal that Defendant Harris needs to be served with the summons and Amended Complaint in accordance with Rule 4 the Federal Rules of Civil Procedure. If Defendant Harris cannot be served at the address provided by the NC DPS, the U.S. Marshal shall be responsible for locating her home address so that she may be served. See 28 U.S.C. § 1915(d) (in actions brought *in forma pauperis* under § 1915(d), "[t]he officers of the court shall issue and serve all process, and perform all duties in such cases"); Fed. R. Civ. P. 4(c)(3) ("At the plaintiff's request, the court may order that service be made by a United States Marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915 . . .").

If the U.S. Marshal is unable to obtain personal service on Defendant Harris, the U.S. Marshal shall inform the Court of the reasonable attempts to obtain service. The U.S. Marshal shall not disclose Defendant's home address to the *pro se* incarcerated Plaintiff and shall file any document containing such address under seal.

IT IS THEREFORE ORDERED that:

- (1) The U.S. Marshal shall use all reasonable efforts to locate and obtain personal service on Defendant Cheronne M. Harris at Defendant's home addresses. If the U.S. Marshal is unable to obtain personal service on Defendant Harris, the U.S. Marshal shall inform the Court of the reasonable attempts to obtain service.
- (2) The Clerk is respectfully instructed to mail a copy of the Amended Complaint, (Doc. No. 15), the Sealed Notice containing Defendant's last known address, (Doc. No. 41), and this Order to the U.S. Marshal.

Signed: June 12, 2018



Frank D. Whitney
Chief United States District Judge

